

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
KIURYS MARTINEZ AND DELIELA MARTINEZ,

Plaintiffs,

-against-

TARGET CORPORATION,

Defendant.  
-----X

**NOTICE OF  
DEPOSITION**

1:13-CV-00447-R

**C O U N S E L L O R S:**

**PLEASE TAKE NOTICE**, that pursuant to CPLR Article 31 the undersigned hereby demands to take the deposition of each party represented by you and/or any officers, agents or employees thereof having knowledge of and concerning all the relevant facts and circumstances in connection with the accident and/or claimed injury herein including negligence, liability, damages, affirmative defenses, denials and the like as set forth in the pleadings herein.

The said deposition will take place at the offices of Plaintiff's attorneys, **TROLMAN, GLASER & LICHTMAN, P.C.**, 777 Third Avenue, New York, New York, 10017, at **10:00 A.M. o'clock in the forenoon on September 17, 2013.**


The said persons to be examined are required to produce at such examination all memoranda, reports, diagrams, measurements, books, notes, notations, records, memoranda, supply records, inventory records, accident reports, daily logs, daily work records, photographs, documents, correspondence, maps, charts, diagrams and other writings, papers and other materials in the

possession of this defendant and relevant to the issues herein.

In the event you cannot produce any of the persons to be examined in compliance with this notice, will you please advise us immediately so that arrangements can be made for a time and place agreeable to all parties.

Dated: New York, New York  
August 13, 2013

Yours, etc.,

  
BY: MICHAEL A. MADONNA  
TROLMAN, GLASER & LICHTMAN, P.C.  
Attorneys for Plaintiff  
777 Third Avenue  
New York, NY 10017  
(212) 750-1200

TO:

Fishman McIntyre P.C.  
Attorneys for Defendant(s)  
TARGET CORPORATION  
44 Wall Street, 12th Floor  
New York, NY 10005  
(212) 461-7190

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KIURYS MARTINEZ AND DELIELA MARTINEZ,

Plaintiffs,

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TARGET CORPORATION,

Defendant.

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NOTICE DECLINING  
OF SERVICE VIA FAX  
OR OTHER  
ELECTRONIC MEANS

1:13-CV-00447-R


S I R S :

PLEASE TAKE NOTICE, that pursuant to CPLR Rule 2103(b)(5), the undersigned hereby give notice that no papers to be served shall be accepted by transmittal via electronic means, facsimile (Fax) machine, telecopier, and the like. No such telephone number or station for acceptance of service of papers is included in the undersigned's address block on these papers, and any papers so served shall be rejected and deemed a nullity by the undersigned.

See, e.g., Levin v. Levin, 609 N.Y.S.2d 547 (Sup. Ct. Nassau Cty, 1994).

Dated: New York, New York  
August 13, 2013

Yours, etc.,

  
BY: MICHAEL A. MADONNA, ESQ.  
TROLMAN, GLASER & LICHTMAN, P.C.  
Attorneys for Plaintiff(s)  
777 Third Avenue  
New York, NY 10017  
(212) 750-1200

TO:

Fishman McIntyre P.C.  
Attorneys for Defendant(s)  
TARGET CORPORATION  
44 Wall Street, 12th Floor  
New York, NY 10005  
(212) 461-7190

STATE OF NEW YORK    }  
                                  } ss.:  
COUNTY OF NEW YORK }

FRANCIS TAVERAS, being duly sworn, deposes and says:

Deponent is not a party to the action, is over the age of 18 years and resides at Kings, New York.

That on the 13 day of August, 2013, deponent served the within **NOTICE OF DEPOSITION AND NOTICE DECLINING OF SERVICE VIA FAX OR OTHER ELECTRONIC MEANS** upon the following, at the addresses designated by said attorneys for that purpose, by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in a post office or official depository under the exclusive care and custody of the United States Postal Service, within the State of New York:

Fishman McIntyre P.C.  
44 Wall Street, 12th Floor  
New York, NY 10005  
(212) 461-7190

  
\_\_\_\_\_  
FRANCIS TAVERAS

Sworn to before me this  
13 day of August, 2013

  
\_\_\_\_\_  
Notary Public

Maggie Castillo  
Commissioner of Deeds  
City of New York - No. 2-9560  
Certificate Filed in Kings County  
Commission Expires Nov. 1, 2014

-----X  
KIURYS MARTINEZ AND DELIELA  
MARTINEZ,

Plaintiff,

- against -

TARGET CORPORATION,

Defendant.

: 1:13-CV-00447-R (MAM) 2965

:  
: NOTICE OF DEPOSITION AND  
: NOTICE DECLINING OF  
: SERVICE VIA FAX OR OTHER  
: ELECTRONIC MEANS

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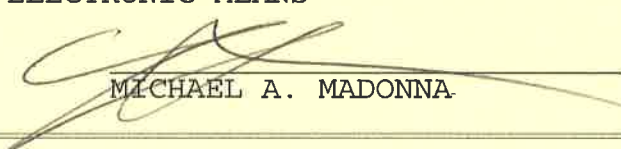
NOTICE OF DEPOSITION AND NOTICE DECLINING  
OF SERVICE VIA FAX OR OTHER ELECTRONIC MEANS

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TROLMAN, GLASER & LICHTMAN, P.C.  
Attorneys for Plaintiff(s)  
777 Third Avenue  
New York, New York 10017  
(212) 750-1200  
Fax: (212) 980-4011

To:  
Attorney(s) for

The signature below shall constitute the signature required pursuant to NYCRR Section 130-1.1-a and pertains to all of the enclosed documents: NOTICE OF DEPOSITION AND NOTICE DECLINING OF SERVICE VIA FAX OR OTHER ELECTRONIC MEANS

  
MICHAEL A. MADONNA

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PLEASE TAKE NOTICE  
NOTICE OF

ENTRY

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that the within is a (certified) true copy of a  
entered in the office of the Clerk of the within named  
Court on 20 .

NOTICE  
OF  
SETTLEMENT

hat an Order of which the within is a true copy will be  
presented to the Hon. , one of the  
judges of the within named Court, on , 20

☐

Dated:

TROLMAN, GLASER & LICHTMAN, P.C.  
Attorneys for Plaintiff(s)  
777 Third Avenue  
New York, New York 10017  
(212) 750-1200  
Fax: (212) 980-4011